

Ari B. Teman

Wed, 31 May 2023  
11th of Sivan, 5783

The Honorable Paul Engelmayer  
District Judge  
Southern District of New York  
40 Foley Square,  
New York, NY

**Re: Motion to be assigned a Federal Defender for all post-trial matters**

Your Honor,

The Defendant respectfully motions for the Court to assign the Federal Defenders (<https://www.federaldefendersny.org/>) as counsel to the Defendant for all post-trial motions in this court.

Your Honor has already made clear, in assigning Mr. Karloff Commssiong temporarily, and through other statements and rulings, that the Defendant is incapable of self representation.

The defendant does not believe that he is capable of representing himself, and agrees that he should be assigned counsel for matters relating to whether or not the Defendant is incarcerated -- which necessarily involves this entire case!

There are outstanding issues, regardless of the outcome of the CA2 filing, which require the advice of counsel, and representation by competent and experienced counsel. For example, new evidence. As well, sentencing and bond issues.

The Court has also stated clearly that it would ignore pro se motions unrelated to bond conditions, and so the Defendant's due process rights are being denied without counsel.

The Court has agreed that the Defendant lacks the means to retain private counsel.

Therefore, the Defendant must be assigned counsel, and respectfully requests that the Federal Defenders office, or an attorney who works for them<sup>1</sup> be assigned to handle all matters in the District Court related to *United States v Teman*.

It is unfair that the Defendant has been denied counsel for over a year due to conflicts between Counsel and the Court -- including that Mr. Biale was a mentee and close family friend of Your Honor and that his wife is an attorney for the office prosecuting this case and was able to overhear our conversations. Following that, Ms. Kelman failed to disclose her relationship with Your Honor and that she was given a lifetime achievement award at the urging of Your Honor. The defendant would not have hired anyone who had received such a gift from Your Honor, had that been disclosed, and Ms. Kelman knew the Biale/Sher Tremonte situation and should have disclosed it then.

Therefore, it is only fair and just that the Court assign the Federal Defender's office, who can serve as *completely unconflicted counsel*.

Respectfully submitted,



*Ari Teman, Defendant*

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<sup>1</sup> While it should go without saying, given the issue with Noam Biale, the Defendant explicitly requests counsel who is not a mentee of the Court or close personal friend or former colleague of the court, and who is not married to any prosecutor in the same office prosecuting the defendant.